

Senator Al Franken
Remarks on Legislation to Lower Prescription Drug Prices
March 30, 2017
(as prepared for delivery)

M. President, I rise today to talk about a path forward on health care.

Last week, Republicans in the House failed to pass the American Health Care Act—a deeply flawed policy that amounted to little more than a massive tax break for the wealthy at the expense of working families.

The failure of that bill means that, as Speaker Ryan put it, the ACA is the law of the land for the foreseeable future. So, today, I'd like to invite my colleagues on the other side of the aisle to leave repeal efforts behind and, instead, roll up their sleeves and get to work with me and other Democrats to improve on the system we've already got.

It's time to pass commonsense reforms that build on the successes of the ACA and lower health care costs.

Senator Alexander, in a recent HELP committee hearing, said that he wanted to work on a bipartisan basis to stabilize the individual market. Great, let's do that. We should reinstate and strengthen programs that help insurance companies stay in the marketplace and continue to serve even the sickest patients. We should pass a public option to make sure there's competition in every market. We should provide more tax credits to more people.

And while we work on those things, there's something else we should do—something that together with a group of my colleagues I introduced a bill about yesterday. It's time to bring down health care costs for everyone by reducing the price of prescription drugs. It's time to pass the Improving Access to Affordable Prescription Drugs Act.

I think all of us would agree that no one should have to choose between affording a lifesaving drug and putting food on the table for their family.

But right now, that's exactly what's happening. Companies are setting prices that are beyond the reach of consumers and that are driving up costs for insurers and taxpayers. In fact, one in five Americans say they've not filled a prescription simply because they couldn't afford it. Others are rationing care due to high prices. A study published just last month found that about 10 percent of cancer patients skipped their medication and about 13 percent delayed filling their prescriptions.

We've all been shocked by the stories of EpiPen prices shooting up nearly 500 percent. The price of insulin has more than doubled in the last five years. Drug companies can set whatever prices they want. As a result, in recent years, drug companies have secured some of the highest profit margins of any industry.

Drug prices are too high. That's why my colleagues and I are introducing comprehensive legislation to tackle prescription drug prices. We want to make sure that companies can't exploit the sick and dying to make a profit.

The bill includes seventeen policy changes that will improve transparency, promote affordability, spur innovation, and enhance competition. Today, I'd like to highlight three of those provisions.

First, on transparency. This legislation requires drug companies to disclose how much they spend on research, manufacturing, and marketing as well as research grants from the federal government to help all of us understand why prices for lifesaving drugs are so high. It's especially galling that so many drugs that are developed with taxpayer dollars are unaffordable for so many Americans. Getting this information would help all of us hold drug companies accountable. And that can be an important step toward bringing prices down.

Second, something that President Trump called for on the campaign trail: the bill will allow Medicare to negotiate lower prices for prescription drugs. It's just common sense that the biggest buyer of pharmaceutical products in America should be able to use its negotiating clout to bring prices down.

And third, the bill would end the practice of so-called “pay-for-delay.” Right now, drug companies that make expensive brand-name drugs will pay other companies that make generic alternatives to keep their product off the market. This is pay-for-delay, and it’s outrageous. And it’s increasingly common. This bill removes will stop these agreements once and for all.

There’s a lot more the bill does. It penalizes companies that price-gouge for lifesaving medicine, and I think we can all agree on that. It puts a cap on out-of-pocket drug costs in health insurance plans. It speeds up generic competition. It funds new innovation, and includes a number of other provisions.

Tackling the high cost of drugs is an issue that many of my colleagues care deeply about. This bill reflects many of their ideas and proposals, and I'm grateful for their work with me. Moreover, it's obvious that the public is ready for action on this issue. Overwhelming majorities of Americans in both parties support government action to curb out-of-control drug prices.

I'm eager to hear from colleagues on both sides of the aisle and from the administration about how we can work together to pass reforms into law. This is an area of health policy that Democrats are eager to work on, and we hope that the President will stand by his promise to stand up to drug companies and reduce costs for families.

It's morally wrong that some people are denied access to lifesaving drugs because they can't afford them. And it is something that we can fix.

I am in the Senate so that I can fight for policies that would improve people's lives. With this bill, I am trying to do just that.

I hope that my colleagues will join me.